

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

By this Amendment, claims 1, 6, and 13 are amended to better define the claimed invention. Claims 1-13 remain pending in the application.

Claims 1-4, and 6-7, are rejected under 35 U.S.C. § 102(b) as being anticipated by Amano (US 6,272,404). Applicant respectfully traverses this rejection.

Independent claim 1 is directed to an optoelectronic taxi-assistance device for an aircraft in an airport. The claimed device makes it easier to determine the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on the taxiways. Therefore, the claimed device is mainly used when the airplane, such as a large civil aircraft (Boeing 747, Airbus A380, or the like), is on the ground and driven on the taxiways.

However, contrary to the Examiner's assertion, Applicant respectfully submits that Amano fails to disclose, explicitly or implicitly, the recited "safety symbols concerning either the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on said taxiways, and if the aircraft turns, the safety symbols include an arrow of variable size."

More specifically, Amano discloses a flight path display apparatus that is used when an aircraft is in flight, and particularly for a helicopter. (See Abstract and col. 1, lines 16-43 of Amano). Nowhere in the disclosure does Amano disclose an optoelectronic taxi-assistance device having recited safety symbols concerning either the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on said taxiways. In fact, helicopters normally do not taxi on the airport taxiways as fixed-wing aircrafts do. Therefore, the marks and indications used in Amano cannot be deemed to disclose at least the recited safety symbols concerning either the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on said taxiways, and if the aircraft turns, the safety symbols include an arrow of variable size.

To establish a *prima facie* rejection under § 102(b), the Office Action must show that the cited reference discloses each and every claimed element. However, Applicant respectfully submits that Amano fails to disclose all the claimed features at least for the reasons presented above. Therefore, independent claim 1 is considered patentable over Amano. Claims 2-4 and 6-7 are likewise patentable for their dependency on independent claim 1. Withdrawal of the rejection of claims 1-4 and 6-7 under § 102(b) is respectfully solicited.

Claims 5 and 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Amano in view of Uhlenhop (US 5,745,863). Applicant respectfully traverses this rejection.

In the Office Action, the Examiner relies upon Uhlenhop to disclose the additional features recited in dependent claims 5 and 8-11. However, Applicant respectfully disagrees and submits that the paragraphs the Examiner relies upon in Uhlenhop fail to at least cure the deficiencies of Amano.

More specifically, the display device of Uhlenhop is adaptable to all phases of flight, and is particularly for the approach phase of flight. See col. 2, lines 10-14 of Uhlenhop. In contrast, for a person of ordinary skill in the art or aircraft industry, driving on a taxiway is not a phase of flight. Therefore, Uhlenhop should not have been considered as an analogous reference for § 103 purposes. Further, even if assuming that Uhlenhop is an analogous reference, Uhlenhop still fails to at least remedy the deficiencies of Amano because it does not disclose or suggest the recited safety symbols concerning either the position of the aircraft on the airport taxiways or the maneuver to be performed by the aircraft on said taxiways, nor does it disclose or suggest the recited safety symbols including an arrow of variable size.

Therefore, Amano and Uhlenhop, either alone or in combination, would not have made the claimed invention recited in independent claim 1 obvious. Claims 5 and 8-11 are likewise patentable for their dependency on independent claim 1. Withdrawal of the rejection of claims 5 and 8-11 under § 103(a) is respectfully solicited.

Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Amano and Uhlenhop, and further in view of Vandevoorde (US 6,246,342). In the Office Action, the Examiner relies upon Vandevoorde to disclose the additional features recited in claims 12 and 13. However,

Applicant respectfully submits that the paragraphs the Examiner relies upon in Vandevoorde fail to at least cure the deficiencies of Amano and Uhlenhop. Therefore, claims 12-13 are likewise patentable for their dependency on independent claim 1. Withdrawal of the rejection of claims 12-13 under § 103(a) is respectfully solicited.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited. Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in cursive script, reading "Kenneth M. Berner".

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Date: January 12, 2010
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